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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 DAVID ENGELSTEIN,

9 Plaintiff,

10 v.

11 UNITED STATES DEPARTMENT OF
12 AGRICULTURE, UNITED STATES
13 FOREST SERVICE, UNITED
14 STATES DEPARTMENT OF
15 HIGHWAYS, UNITED STATES
16 DEPARTMENT OF
17 TRANSPORTATION, UNITED
18 STATES FEDERAL HIGHWAY
19 ADMINISTRATION, WESTERN
20 FEDERAL LANDS HIGHWAY
21 DIVISION, and DOES I–X,

22 Defendants.

C20-916 TSZ
(consolidated with C20-1809 TSZ)

23 DAVID ENGELSTEIN.

Plaintiff,

v.

STATE OF WASHINGTON and KING
COUNTY, a political subdivision of the
State of Washington, and DOES I–XV.

Defendants.

MINUTE ORDER

JURY/BENCH TRIAL DATE

April 25, 2022

Length of Trial

5–7 days

Deadline for joining additional parties

June 1, 2021

Any motions for leave to amend pleadings filed by

October 4, 2021

Disclosure of expert testimony under FRCP 26(a)(2)

October 4, 2021

All motions related to discovery must be filed by

December 2, 2021

All remaining discovery completed by

January 10, 2022

All dispositive motions must be filed by
and noted on the motion calendar no later than the
fourth Friday thereafter (see LCR 7(d))

February 3, 2022

All motions related to expert witnesses (*e.g.*, Daubert
motion) must be filed by
and noted on the motion calendar no later
than the third Friday thereafter (see LCR 7(d))

February 10, 2022

Mediation must be completed by

March 1, 2022

All motions *in limine* must be filed by
and noted for the third Friday thereafter; responses
shall be due on the noting date; no reply shall be
filed unless requested by the Court

March 24, 2022

Agreed Pretrial Order due¹

April 8, 2022

Trial briefs, proposed voir dire questions, and
proposed jury instructions, and proposed findings of fact
and conclusions of law due

April 8, 2022

Pretrial conference to be held at 10:00 a.m. on

April 15, 2022

¹ The Agreed Pretrial Order shall be filed in CM/ECF and shall also be attached as a Word compatible file to an e-mail sent to the following address:
ZillyOrders@wawd.uscourts.gov.

1 These dates are set at the direction of the Court after reviewing the joint status
2 report and discovery plan submitted by the parties. All other dates are specified in the
3 Local Civil Rules. These are firm dates that can be changed only by order of the Court,
4 not by agreement of counsel or the parties. The Court will alter these dates only upon
5 good cause shown: failure to complete discovery within the time allowed is not
6 recognized as good cause.

7 As required by LCR 37(a), all discovery matters are to be resolved by agreement if
8 possible. Counsel are further directed to cooperate in preparing the final pretrial order in
9 the format required by LCR 16.1, except as ordered below.

10 Notwithstanding Local Civil Rule 16.1, the exhibit list shall be prepared in table
11 format with the following columns: "Exhibit Number," "Description," "Admissibility
12 Stipulated," "Authenticity Stipulated/Admissibility Disputed," "Authenticity Disputed,"
13 and "Admitted." The latter column is for the Clerk's convenience and shall remain
14 blank, but the parties shall indicate the status of an exhibit's authenticity and
15 admissibility by placing an "X" in the appropriate column. Duplicate documents shall
16 not be listed twice: once a party has identified an exhibit in the pretrial order, any party
17 may use it.

18 The original and one copy of the trial exhibits are to be delivered to the courtroom
19 at a time coordinated with Gail Glass, who can be reached at 206-370-8522, no later than
20 the Friday before trial. Each set of exhibits shall be submitted in a three-ring binder with
21 appropriately numbered tabs. Each exhibit shall be clearly marked. Plaintiff's exhibits
22 shall be numbered consecutively beginning with 1; defendant's exhibits shall be
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1 numbered consecutively beginning with the next multiple of 100 after plaintiff's last
2 exhibit; any other party's exhibits shall be numbered consecutively beginning with the
3 next multiple of 100 after defendant's last exhibit. For example, if plaintiff's last exhibit
4 is numbered 159, then defendant's exhibits shall begin with the number 200; if
5 defendant's last exhibit number is 321, then any other party's exhibits shall begin with
6 the number 400.

7 Counsel must be prepared to begin trial on the date scheduled, but it should be
8 understood that the trial may have to await the completion of other cases.

9 Should this case settle, counsel shall notify Gail Glass at 206-370-8522 as soon as
10 possible.

11 The Clerk is directed to send a copy of this Minute Order to all counsel of record.

12 Dated this 4th day of March, 2022.

13 William M. McCool
14 Clerk

15 s/Gail Glass
16 Deputy Clerk